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06/15/2006 02:07 PM

To "Morgan, James L." <JMorgan@atg.state.il.us>  
cc Elise.Feldman@usdoj.gov, Erin Rednour  
<Erin.Rednour@epa.state.il.us>,  
alan.tenenbaum@usdoj.gov, "Brooks, Patrick J."  
bcc

Subject RE: Illinois Settlement Agreement

Thanks Jim. I plan to generate a redraft of the Illinois Settlement Agreement shortly which will respond to the suggested revisions outlined below as well as the comments transmitted earlier a bit later today. Again, thanks.

**From:** Morgan, James L. [mailto:JMorgan@atg.state.il.us]

**Sent:** Thursday, June 15, 2006 3:02 PM

**To:** Winters, Karen

**Cc:** Elise.Feldman@usdoj.gov; Erin Rednour; alan.tenenbaum@usdoj.gov; Brooks, Patrick J.; Putman Jr., Lewis; ssamuels@szd.com; Garypie.Catherine@epamail.epa.gov; Bruce Kugler

**Subject:** Illinois Settlement Agreement

Bruce Kugler called in with some additional comments.

- 1) p.8, par. 4: The sentence providing that the Budget "shall be deemed approved" if no comments/objections are received by the Response Date is one of the provisions that triggers a knee-jerk reaction by upper levels at IEPA. Is it necessary? If it is, I suggest we substitute the following: The projected annual budget shall apply unless revisions are required to address IEPA comments or objections.
- 2) Bruce does not need to be included as a notice recipient in the Settlement Agreement or the CTA (lucky him).
- 3) P. 15, par. 16: The jurisdiction provision should parallel that in Section 5.3(a) of the CTA or at least reference it (i.e., if the Court decides it lacks jurisdiction, spell out where we go from there).
- 4) In Appendix B, we need to insert a sentence in each section that the Custodial Trustee will implement the respective plans (site investigation and remedial action) upon approval.